

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Brandon Medley,

Plaintiff,

v.

Case No. 1:11cv281

J. Toland, *et al.*,

Judge Michael R. Barrett

Defendants.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on June 29, 2011 (Doc. 5). The Magistrate Judge recommends that this Court should presume that Plaintiff is not a pauper, assess the full \$350 filing fee, and dismiss this case for want of prosecution.

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *See United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections were filed to the Magistrate Judge’s R&R.

Having reviewed this matter *de novo* pursuant to 28 U.S.C. 636, this Court finds the Magistrate Judge’s Report and Recommendation to be correct.

Accordingly, it is **ORDERED** that the R&R of the Magistrate Judge is hereby **ADOPTED**. This Court dismisses this matter for want of prosecution. This case shall be **CLOSED** and **TERMINATED** from the docket of this Court.

IT IS SO ORDERED.

/s/ Michael R. Barrett
Michael R. Barrett
United States District Judge